

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)						Docket No. 10857Z
In Re Application Of: Douglas J. Hilton, et al.						 U.S. PATENT & TRADEMARK OFFICE
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
09/037,657	March 10, 1998	Fozia M. Hamud	23389	1647	7400	
Invention: A NOVEL HAEMOPOIETIN RECEPTOR AND GENETIC SEQUENCES ENCODING SAME						
4/2005 TBESHAI 00000007 09037657						
C:1401 500.00 OP						
<u>COMMISSIONER FOR PATENTS:</u>						
This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of March 9, 2005 in the above-identified application.						
<i>Date</i>						
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated March 9, 2005 finally rejecting Claim(s) 40, 42-47, 57 and 58						
Applicant(s) hereby request(s) an extension of time of (check desired time period):						
<input type="checkbox"/> One month <input type="checkbox"/> Two months <input checked="" type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months						
from: <u>June 9, 2005</u>			until: <u>September 9, 2005</u>			
<i>Date</i>			<i>Date</i>			
The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:						
4/2005 TBESHAI 00000007 09037657			Fee for Notice of Appeal: <u>\$500.00</u>			
C:1253 1020.00 OP			Fee for Extension of Time: <u>\$1,020.00</u>			
TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: <u>\$1,520.00</u>						
The fee for the Notice of Appeal and extension of time is to be paid as follows:						
<input checked="" type="checkbox"/> A check in the amount of <u>\$1,520.00</u> for the Notice of Appeal and extension of time is enclosed.						
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____						
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <u>19-1013/SSMP</u>						
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.						
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.						
<input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. <u>19-1013/SSMP</u>						
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.						
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						

P29LARGE/REV06

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TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

Dated: September 9, 2005

Frank S. DiGilio

Registration No. 31,346

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FSD/ZY:ab

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

September 9, 2005

(Date)



Signature of Person Mailing Correspondence

Frank S. DiGilio

Typred or Printed Name of Person Mailing Correspondence

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CC: